

**Baker & Hostetler LLP**  
45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Keith R. Murphy

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

---

In re:

BERNARD L. MADOFF,

Debtor.

---

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE FREDERICA RIPLEY FRENCH  
REVOCABLE TRUST,

SETH B. FRENCH, and

---

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05424 (SMB)

ALEXANDER MCFERRAN, solely in his capacity as successor trustee of the Frederica Ripley French Revocable Trust,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants the Frederica Ripley French Revocable Trust, Seth B. French, and Alexander McFerran, solely in his capacity as successor trustee of the Frederica Ripley French Revocable Trust (“Defendants”), by and through their counsel, Dentons US LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 11, 2010, the Trustee filed and served a Complaint against the Frederica Ripley French Revocable Trust, Frederica R. French, and Seth B. French, which the Trustee amended on January 25, 2012.
2. On September 15, 2015, the Frederica Ripley French Revocable Trust, Frederica R. French, and Seth B. French served an answer on the Trustee.
3. On September 16, 2016, the Trustee and the Frederica Ripley French Revocable Trust and Alexander McFerrin entered a stipulation, which was so ordered by the Court, substituting Alexander McFerran, solely in his capacity as successor trustee of the Frederica Ripley French Revocable Trust, into this action in place of Frederica R. French in her capacity as trustee of the Frederica Ripley French Revocable Trust.
4. On June 28, 2018, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: July 27, 2018

**BAKER & HOSTETLER LLP**

By: /s/ Keith R. Murphy  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Keith R. Murphy  
Email: kmurphy@bakerlaw.com  
Joshua B. Rog  
Email: jrog@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**Dentons US LLP**

By: /s/ Carole Neville  
1221 Avenue of the Americas  
New York, New York 10020  
Telephone: 212.768.6889  
Facsimile: 212.768.6800  
Carole Neville  
Email: carole.neville@dentons.com

*Attorneys for Defendants*

**SO ORDERED**

**Dated: July 27<sup>th</sup>, 2018**  
**New York, New York**

/s/ STUART M. BERNSTEIN  
**HONORABLE STUART M. BERNSTEIN**  
**UNITED STATES BANKRUPTCY JUDGE**